

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PLASTERERS LOCAL 67 PENSION TRUST FUND;
PLASTERERS LOCAL UNION 67 VACATION &
HOLIDAY FUND; PLASTERERS APPRENTICESHIP
TRUST FUND; and OUTSTATE MICHIGAN
TROWEL TRADES HEALTH & WELFARE FUND,

Plaintiffs,

CASE NO. 06-CV-12216

v.

HON. JOHN CORBETT O'MEARA

NILES GROUP, LTD. d/b/a VALLEY PAINTING, INC.,

Defendant.

JUDGMENT

As set forth in the February 23, 2007, Opinion and Order Granting Plaintiffs' Motion for Summary Judgment and Denying Defendant's Motion for Summary Judgment, and the pleadings previously filed in this matter, the Court has concluded that plaintiffs are entitled to judgment against Niles Group, Ltd. d/b/a Valley Painting, Inc., for the relief prayed for in their Complaint.

Accordingly, IT IS HEREBY ORDERED AND ADJUDGED:

1. Defendant is bound to pay contributions to plaintiffs as alleged in plaintiffs' Complaint and as set forth in the Opinion and Order Granting Plaintiffs' Motion for Summary Judgment and Denying Defendant's Motion for Summary Judgment.
2. Plaintiffs have and recover Judgment from defendant in the amount of \$32,245.52.
3. Defendant shall permit plaintiffs to inspect and audit books and records needed by plaintiffs to determine the amount of defendant's indebtedness for the period July 7, 2005 until the date of production of such books and records.

4. Plaintiffs are hereby granted leave to file a Motion for Amended Judgment, in which plaintiffs shall request entry of judgment incorporating all sums shown by the audit described in paragraph 3 to be due to plaintiffs, plus the sum set forth in paragraph 2, plus all amounts to which plaintiffs are entitled pursuant to 29 USC §1132(g)(2), including costs and attorneys' fees incurred by plaintiffs in the prosecution of this matter, amounts to which plaintiffs are entitled pursuant to plaintiffs' plan documents, and post-judgment interest. Such Motion shall be accompanied by an affidavit of plaintiffs' counsel setting out all amounts determined to be due pursuant to the provisions of this Judgment, defendant shall be permitted to file a response to the Motion, including to request that the Court hold an evidentiary hearing to resolve any disputed issues of fact relating to the audit described in paragraph 3 or other additional damages sought by plaintiffs, and plaintiffs shall be permitted to file a reply, pursuant to the applicable Court Rules.

5. Post-judgment interest will accrue on the amount set forth in paragraph 2, above, as provided for in 28 USC §1961, from the date of entry of this Judgment.

6. This Court shall retain jurisdiction over this matter for purposes of enforcement of the provisions of this Judgment and any Amended Judgment that may be entered pursuant to paragraph 4 above.

IT IS SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: March 28, 2007